

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 22 2015

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KENNETH BROWN,

Defendant.

INDICTMENT
2:15-CR-5-TOR

Vio: 18 U.S.C. § 2252A(a)(5)(B)

Possession of Child

Pornography

(Count 1)

18 U.S.C. § 2252A(a)(2)

Receipt of Child Pornography

(Count 2)

18 U.S.C. § 2252A(a)(2)

Distribution of Child

Pornography

(Count 3)

18 U.S.C. § 2253

Notice of Forfeiture

Allegations

The Grand Jury Charges:

COUNT 1

On or about March 11, 2014, within the Eastern District of Washington, the Defendant, KENNETH BROWN, did knowingly possess child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been mailed, shipped and transported in interstate or foreign commerce, or which was produced using materials which had

1 been mailed or so shipped or transported, by any means, including by computer, to
2 wit: still images and video files depicting minor and prepubescent children engaging
3 in sexually explicit conduct including but not limited to actual and simulated
4 intercourse, and the lascivious exhibition of the genitals and pubic area, in violation of
5 18 U.S.C. § 2252A(a)(5)(B), (b)(2).

6 COUNT 2

7 On or about February 14, 2012, through on or about March 11, 2014, within
8 the Eastern District of Washington, the Defendant, KENNETH BROWN, did
9 knowingly receive child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had
10 been mailed, shipped and transported in interstate or foreign commerce, or which was
11 produced using materials which had been mailed or so shipped or transported, by any
12 means, including by computer, to wit: still image and video files depicting minor and
13 prepubescent children engaging in sexually explicit conduct including but not limited
14 to actual and simulated intercourse, and the lascivious exhibition of the genitals and
15 pubic area, in violation of 18 U.S.C. § 2252A(a)(2), (b)(1).

16
17 COUNT 3

18 On or about January 19, 2014, through on or about February 2, 2014, within the
19 Eastern District of Washington, the Defendant, KENNETH BROWN, did knowingly
20 distribute child pornography, as defined in 18 U.S.C. § 2256(8)(A), that had been
21 mailed, shipped and transported in interstate or foreign commerce, or which was
22 produced using materials which had been mailed or so shipped or transported, by any
23 means, including by computer, to wit: still image and video files depicting minor and
24 prepubescent children engaging in sexually explicit conduct including but not limited
25 to actual and simulated intercourse, and the lascivious exhibition of the genitals and
26 pubic area, in violation of 18 U.S.C. § 2252A(a)(2), (b)(1).

NOTICE OF FORFEITURE ALLEGATIONS

Upon conviction of the offense(s) alleged in Counts 1 through 3 of this Indictment, Defendant, KENNETH BROWN, shall forfeit to the United States, pursuant to 18 U.S.C. § 2253, any visual depiction described in section 2251, 2251A, 2252, 2252A, 2252B, or 2260 of this chapter, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of this chapter; any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offenses; and, any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses, or any property traceable to such property, including but not limited to:

- 1) eMachines Laptop E528-2325 containing Hitachi 250GB HDD Serial Number 3SESGYZT,
- 2) iPhone Model A1332,
- 3) Kodak 1GB SD Card,
- 4) 16GB micro SD Card in Sandisk Adapter
- 5) 1GB SD Card,
- 6) Lexar 128MB Memory Stick,
- 7) Motorola V3xx with 512 MB MicroSD Card, and
- 8) Emachine Desktop Computer W3503 Serial Number CRC65 100 45604.

If any of the above-described forfeitable property, as a result of any act or omission of the Defendant:

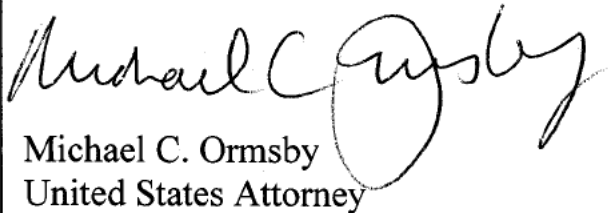
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or

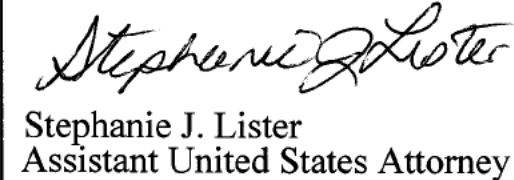
1 (e) has been commingled with other property which cannot be divided
2 without difficulty;
3 it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated
4 by 18 U.S.C. § 2253(b), to seek forfeiture of any other property of said Defendant up
5 to the value of the forfeitable property described above.

6 DATED this 21st day of January 2015.

7 A TRUE BILL

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11 Foreperson

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13 Michael C. Ormsby
14 United States Attorney

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16 Stephanie J. Lister
17 Assistant United States Attorney
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